IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 143 OF 2005
IN
APPEAL FROM ORDER NO.161 OF 2005

Ayudia N.Malhotra. ... Applicant.
Versus.
Municipal Corporation of Gr.Mumbai. ... Respondent.

Shri G.V.Murthi for the Applicant.

Ms.Geeta Joglekar for the Respondent.

CORAM : ABHAY S. OKA, J.

DATED : 21st March, 2005.

P.C.:

1. Rule. The Respondent waives service. No reply was filed by the Respondent to the Notice of Motion for injunction. Considering the documents on record, a case is made out for grant of interim relief.

2. Till final disposal of the Appeal both the parties will maintain status-quo as of today in respect of the disputed structure.

3. Pendency of this Appeal will not operate as stay of the proceedings of the suit and the trial Court will proceed with the suit in accordance with the law.

4. Civil Application disposed of in the above terms with no order as to costs.

Judge.